

EXPEDITED PROCEDURE
R spon e Und r 37 C.F.R. §1.116

Examiner: Winnie S. Yip
Art Unit: 3637

Docket No.: NHL-DOR-105
Serial No.: 10/036,847

REMARKS

The Office Action dated February 18, 2004, indicated as being "FINAL" has been reviewed in detail and the application has been amended in the sincere effort to place the same in condition for allowance. Reconsideration of the claims of the application and allowance in their amended form are requested based on the following remarks.

Applicant retains the right to pursue broader claims under 35 U.S.C. §120.

Applicant has provided a unique solution with respect to problems regarding A BUILDING GLASS FACADE, A METHOD FOR MOUNTING GLASS PANES IN A BUILDING GLASS FACADE, AND A CLAMPING ARRANGEMENT FOR MOUNTING GLASS PANES IN A BUILDING GLASS FACADE. Applicant's solution is now claimed in a manner that satisfies the requirements of 35 U.S.C. §§102, 103, and 112.

New Issues:

It is submitted that no new issues have been raised by this

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amendment and that the amendments to the claims have correspondence to limitations in the claims presently on file.

Allowable Subject Matter:

The Examiner indicated on page 5 of the outstanding Final Rejection Office Action that Claims 10-15 and 21 would be allowable if amended to overcome the rejections under 35 U.S.C. §112, second paragraph, and to include all of the limitations of the base claim and any intervening claims. Claims 10 and 21 have been amended in this manner, and are therefore believed to be in condition for allowance. Claims 11-15 are also believed to be in condition for allowance based on their dependence from Claim 10. It is respectfully submitted that the present application is in condition for allowance, and action toward that end is respectfully requested.

Rejection of Claims 9 and 16-20 Under 35 U.S.C. §102:

Claims 9 and 16-20 were rejected under 35 U.S.C. §102, as being unpatentable over Chae et al. In addition, Claims 9 and 16-17 were rejected under 35 U.S.C. §102, as being unpatentable over German Patent No. 197 27 200. Claims 9 and 16-20 have been

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canceled herein, without prejudice, thereby rendering the present rejections moot. In view of the above, reconsideration and withdrawal of the present rejections is respectfully requested.

Rejection of Claims 9-21 Under 35 U.S.C. §112, Second

Paragraph:

Claims 9-21 were rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, Claim 9 was rejected as being unclear due to the lack of such terms as "comprising", as well as having conflicting language that caused confusion as to whether applicant is claiming the clamp fitting itself or a combination of the clamp fitting and the glass panes. As a result, the Examiner treated Claims 9-21 as reciting a combination. In accordance with this decision, the language of Claim 9, which language was incorporated into amended independent Claims 10 and 21, was amended herein to clearly recite both the clamp fitting and the glass pane as part of a glass pane arrangement. No new matter was added or introduced, and no new

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issues were raised, as these changes were made solely to clarify the subject matter being claimed in accordance with the Examiner's interpretation of the claims.

Claims 16 and 19 were rejected because the recited feature "the undercut groove" lacked antecedent basis. Claim 16 has been canceled herein, without prejudice. Claim 19 has also been canceled herein, without prejudice, and the subject matter thereof incorporated into amended Claim 21. Claim 21 has been rewritten to provide antecedent basis for the undercut groove in order to overcome this rejection.

Claims 17 and 20 were rejected because the recited feature "an undercut groove" was confusing as to whether it is a different undercut groove than that recited in Claims 16 and 19, respectively. Claim 17 has been canceled herein, without prejudice. Claim 20 has also been canceled herein, without prejudice, and the subject matter thereof incorporated into amended Claim 21. Claim 21 has been rewritten to clarify the language of the claim as it relates to the undercut groove in order to overcome this rejection.

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In view of the above, reconsideration and withdrawal of the present rejection is respectfully requested.

Objection to the Drawings:

The drawings were objected to as not showing every feature of the invention specified in the claims. Specifically, the Examiner stated that the feature "plurality of projections on the outside periphery of the cover" in Claims 19 and 20 be shown or the feature canceled from the claims.

In response, new Figure 16A is submitted herewith. Figure 16A shows the "plurality of projections on the outside periphery of the cover." The specification has been amended accordingly herein to include description of this figure in accordance with U.S. practice.

It is respectfully submitted that the addition of Figure 16A and the corresponding description does not constitute new matter as the "plurality of projections on the outside periphery of the cover" is presently disclosed in the specification. On page 8 of the Substitute Specification, lines 12-18 state the following:

When the cover is realized in the form of a one-piece

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component, the invention teaches that the cover has, on its outside periphery, an encircling projection molded onto the cover is complementary to the undercut groove in the conical nut. As an alternative to the encircling configuration, this projection can be replaced by a plurality of projections that are complementary to the undercut groove in the conical nut. (emphasis added)

It is therefore respectfully submitted that the specification provides support for a "plurality of projections on the outside periphery of the cover."

In view of the above, reconsideration and withdrawal of the present rejection is respectfully requested.

Art Made of Record:

The prior art made of record and not applied has been carefully reviewed, and it is submitted that it does not, either taken singly or in any reasonable combination with the other prior art of record, defeat the patentability of the present invention or render the present invention obvious. Further, Applicant is in agreement with the Examiner that the prior art made of record and not applied does not appear to be material to the patentability of the claims currently pending in this application.

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In view of the above, it is respectfully submitted that this application is in condition for allowance, and early action towards that end is respectfully requested.

Summary and Conclusion:

It is submitted that Applicant has provided a new and unique BUILDING GLASS FACADE, A METHOD FOR MOUNTING GLASS PANES IN A BUILDING GLASS FACADE, AND A CLAMPING ARRANGEMENT FOR MOUNTING GLASS PANES IN A BUILDING GLASS FACADE. It is submitted that the claims, as amended, are fully distinguishable from the prior art. Therefore, it is requested that a Notice of Allowance be issued at an early date.

If mailed, I, the person signing this certification below, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated in the certification of mailing on the transmittal letter sent herewith, or if facsimile transmitted, I, the person signing this certification below, hereby

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Respectfully submitted,



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